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9 MEI-FANG LISA ZHANG, et al.,

No. C 07-04946 JSW

10 Plaintiffs,

**ORDER DENYING AS MOOT
MOTION FOR DISCOVERY
(Docket No. 186) AND
CONTINUING HEARING ON
MOTION TO VACATE DEFAULT
JUDGMENT (Docket No. 181)**

11 v.

12 WEI-MAN RAYMOND TSE, et al.,

13 Defendants.

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15 This matter comes before the Court upon consideration of Plaintiffs' Motion for Leave
16 to Conduct Discovery on Issues Pertaining to Notice, which is scheduled for a hearing on May
17 25, 2012. The Court has received Defendants' response, in which Defendants indicate that the
18 parties have agreed on certain procedures regarding discovery on the issue of notice. Therefore,
19 the Court DENIES the motion for leave to conduct discovery as moot.20 However, the Court does not intend to conduct an evidentiary hearing on the motion to
21 vacate default judgment, and it shall not hear testimony from any individual on that motion. In
22 light of this fact, and in light of the parties' agreements on depositions, the Court concludes that
23 it would be appropriate to continue the hearing on the motion to vacate, so that the parties may
24 complete the discovery contemplated by their agreement before that hearing. Therefore, the
25 Court CONTINUES the hearing on the motion to vacate the default judgment to June 22, 2012,
26 at 9:00 a.m. If Defendant, or his counsel, wishes to appear by phone at that hearing, they may
27 submit a request to the Court, which shall be granted.

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1 The parties SHALL conduct the depositions as scheduled on May 25, 2012, unless they
2 can mutually agree upon an alternative date that will permit them to comply with the briefing
3 schedule contemplated by this Order. If Plaintiffs wish to file a supplemental opposition brief
4 to the motion to vacate default judgment that addresses any evidence obtained during discovery,
5 they shall do so on or before June 1, 2012. Defendant may file a reply brief by no later than
6 June 8, 2012. If the Court finds the motion to vacate default judgment suitable for disposition
7 without oral argument, it shall notify the parties in advance of the hearing date.

8 **IT IS SO ORDERED.**

9 Dated: April 26, 2012


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11 JEFFREY S. WHITE
12 UNITED STATES DISTRICT JUDGE